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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,261	12/20/2001	Jeffrey E. Fish	KCX-482 (16683)	8928
22827	7590	10/22/2004		
DORITY & MANNING, P.A. POST OFFICE BOX 1449 GREENVILLE, SC 29602-1449			EXAMINER NOLAN, SANDRA M	
			ART UNIT 1772	PAPER NUMBER

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

NC  
**Supplemental  
Notice of Allowability**

Application No.

10/027,261

Examiner

Sandra M. Nolan

Applicant(s)

FISH ET AL.

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the PTO query of 04 October 2004.
2. ☒ The allowed claim(s) is/are 1,3-31 and 42-45.
3. ☒ The drawings filed on 11 April 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.

  
**SANDRA M. NOLAN**  
**PRIMARY EXAMINER**

Continuation of Attachment(s) 9. Other: copies of Issue Classification sheet prepared on 28 August 2004 and pages 3 through 7 of applicants amendment of 21 June 2004 (mailed on 6-18-04).



SANDRA M. NOLAN  
PRIMARY EXAMINER

**ATTACHMENT TO SUPPLEMENTAL NOTICE OF ALLOWABILITY**

1. The examiner is sending this Supplemental Notice of Allowability in order to clarify the status/text of the allowed claims. Enclosed with the notice are:
  - a. A copy of the Issue Classification sheet for this application, showing that claims 1, 3-31 and 42-45 are allowed as claims 1, 2-30 and 31-34, respectively.
  - b. A copy of claims 1, 3-31 and 42-45 as recited in applicants' 21 June 2004 response (mailed on 18 June 2004). The captions for claims 4, 5, 13, 14, and 23 have been changed to "Original" because those claims were rejoined, at applicants' request, as discussed in sections 5-6 of the 02 September 2004 Notice of Allowability.
2. It appears that pages 3, 4 and 6 of the 21 June 2004 response were recorded in order to show the recaptioning of the rejoined claims. Those pages—which should have been recorded as an *outgoing* communication—were erroneously labeled as an *incoming* "02 September 2004" response in eDAN/IFW.

**Conclusion**

Any inquiry concerning this communication should be addressed to Sandra M. Nolan, at telephone number 571/272-1495. She can normally be reached Monday through Thursday, from 6:30 am to 4:00 pm, ET. If attempts to reach the examiner are unsuccessful, her supervisor, Harold Pyon, can be reached at 571/272-1498. The fax number for patent application documents is 703/872-9306.



S. M. Nolan  
Primary Examiner  
Technology Center 1700

10027261(20041019)

SANDRA M. NOLAN  
PRIMARY EXAMINER